

Hugh A. McCabe, SBN 131828
David P. Hall, SBN 196891
NEIL, DYMOTT, FRANK,
MCFALL & TREXLER
A Professional Law Corporation
1010 Second Avenue, Suite 2500
San Diego, CA 92101-4959
P 619.238.1712
F 619.238.1562

Attorneys for Defendants
FRIJOUF, RUST & PYLE, P.A. and ROBERT F. FRIJOUF

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TO THE ABOVE ENTITLED COURT:

Pursuant to Local Rule 40.1(e), Defendants Frijouf, Rust & Pyle, P.A. and Robert F. Frijouf hereby give notice of the existence of a related case. The related case is entitled *Frijouf, Rust & Pyle, P.A. v. Pure Bioscience*. It was filed on March 13, 2008 in the United States District Court, Middle District of Florida, Tampa Division and assigned case number 08-cv-0477 JSM MSS (the “Florida Litigation”).

Said Defendants believe the Florida Litigation is a related case because it involves the same parties and similar issues. The Florida Litigation is a dispute over a Pure Bioscience's issuance of stock rights to Frijouf, Rust & Pyle, P.A under a "Confirmation of Oral Agreement." The Conformation is a compromise of Frijouf, Rust & Pyle, P.A's performance of legal work on behalf of Pure Bioscience. The Florida Litigation also includes a quantum meruit claim for legal services.

In this litigation, Pure Bioscience is seeking a declaration of rights of its obligations under "certain purported oral agreements and/or written confirmation thereof." Compl. ¶ 2. Presumably, Pure Bioscience's claims involve the same or related agreements which are at issue in the Florida Litigation.

Dated: March 31, 2008

NEIL, DYMOTT, FRANK,
MCFALL & TREXLER
A Professional Law Corporation

By: //s// Hugh A. McCabe

Hugh A. McCabe
David P. Hall
Attorneys for Defendants
FRIJOUF, RUST & PYLE, P.A. and
ROBERT F. FRIJOUF